

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CORNING INCORPORATED,
Petitioner,

v.

PANDUIT CORP.,
Patent Owner.

Case IPR2019-00775 (Patent 8,351,027 B2)
Case IPR2019-00776 (Patent 8,488,115 B2)¹

Before MICHELLE N. ANKENBRAND, *Acting Vice Chief Administrative Patent Judge*, KRISTINA M. KALAN, and DEBRA L. DENNETT, *Administrative Patent Judges*.

ANKENBRAND, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motions for Pro Hac Vice
Admission of Michael J. Newton and Sang (Michael) Lee
37 C.F.R. § 42.10

¹ This Order applies to both cases. The parties are not authorized to use this style heading without prior Board approval.

On July 17, 2019, Petitioner filed motions for *pro hac vice* admission of Mr. Michael J. Newton and Mr. Sang (Michael) Lee (“Motions”) (Papers 7 and 8), accompanied by Declarations of Mr. Newton and Mr. Lee in support of the Motions (“Declarations”) (Ex. 1037 and 1038). Petitioner indicates that Patent Owner does not oppose the Motions. Mot. 2. For the reasons provided below, Petitioner’s Motions are *granted*.

Under 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. In authorizing a motion for *pro hac vice* admission, the Board requires the moving party to provide a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear in the proceeding. *See* Paper 3, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative)).

Based on the facts set forth in the Motions and the accompanying Declarations, Petitioner has established good cause for *pro hac vice* admission of Mr. Newton and Mr. Lee for these proceedings.

It is, therefore,

ORDERED that the Petitioner’s Motions for *pro hac vice* for Michael Newton and Sang (Michael) Lee are *granted*;

FURTHER ORDERED that Petitioner shall continue to have a registered practitioner represent it as lead counsel for each proceeding, and Mr. Newton and Mr. Lee are authorized to represent Petitioner as back-up counsel;

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FURTHER ORDERED that Petitioner shall file an updated mandatory notice in each proceeding, according to 37 C.F.R. § 42.8(b)(3), providing updated information regarding back-up counsel;

FURTHER ORDERED that Mr. Newton and Mr. Lee shall comply with the Office Patent Trial Practice Guide, as updated by the Office Patent Trial Practice Guide August 2018 Update, 83 Fed. Reg. 39,989 (Aug. 13, 2018) and the Office Patent Trial Practice Guide July 2019 Update, 84 Fed. Reg. 33,925 (July 16, 2019), and the Board's Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.; and

FURTHER ORDERED that Mr. Newton and Mr. Lee are subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq.

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